

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ALTO VENTURES, INC.,)	
)	
Plaintiff,)	2:11-cv-1056-PMP-CWH
)	
vs.)	<u>SCHEDULING ORDER</u>
)	
CONVERGYS CORP., <i>et al.</i> ,)	
)	
Defendants.)	

This matter is before the Court on the parties' Proposed Discovery Plan and Scheduling Order (#104), filed February 14, 2012 and on the parties' Stipulation for Extension of Time to Submit Protective Order (#105), filed February 15, 2012.

The Court has reviewed the submitted discovery plan (#104) and finds that while modifications to the court rules may be proposed, the parties do not demonstrate a basis to justify longer periods than provided under the Local Rules.

Accordingly,

IT IS HEREBY ORDERED that parties' Proposed Discovery Plan and Scheduling Order (#104) is **granted** subject to the following modifications to the proposed deadlines:

- | | | |
|----|---|--------------------------|
| 1. | Discovery cutoff | June 4, 2012 |
| 2. | Protective Order | February 24, 2012 |
| 3. | Disclosure of Asserted Claims and Infringement Contentions | February 3, 2012 |
| 4. | Disclosure of Non-Infringement, Invalidity and Unenforceability Contentions | March 19, 2012 |
| 5. | Response to Non-Infringement Contentions | April 2, 2012 |
| 6. | Motions to amend pleadings/parties | April 5, 2012 |
| 7. | Expert Designations | April 5, 2012 |

- 1 8. Rebuttal expert designations **May 7, 2012**
- 2 9. Interim Status Report **April 5, 2012**
- 3 10. Exchange of Proposed Terms of Construction **April 19, 2012**
- 4 11. Exchange of Preliminary Claim Construction **May 21, 2012**
- 5 12. Submit Joint Claim Construction and
6 Prehearing Statement **June 4, 2012**
- 7 13. Opening Claim Construction Brief **July 5, 2012**
- 8 14. Response to Claim Construction Brief **July 19, 2012**
- 9 15. Reply Claim Construction Brief **July 26, 2012**

10 **IT IS FURTHER ORDERED** that within thirty (30) days after Initial Disclosures and
11 Responses are complete, the parties shall submit to a Pre-Claim Constructions Settlement
12 Conference.

13 **IT IS FURTHER ORDERED** that within thirty (30) days after the Court enters an
14 order on the parties' Pre-Claim Construction Settlement Conference, the parties shall submit to a
15 Post-Claim Construction Settlement Conference.

16 **IT IS FURTHER ORDERED** that any extension of the discovery deadline will not be
17 allowed without a showing of good cause as to why all discovery was not completed within the
18 time allotted. All motions or stipulations to extend discovery shall be received by the Court at
19 least twenty-one (21) days prior to the date fixed for completion of discovery or at least twenty-
20 one (21) days prior to the expiration of any extension thereof that may have been approved by
21 the Court. The motion or stipulation shall include:

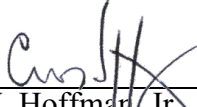
- 22 a. A statement specifying the discovery completed by the parties as of the
23 date of the motion or stipulation;
- 24 b. A specific description of the discovery which remains to be completed;
- 25 c. The reasons why such remaining discovery was not completed within the
26 time limit of the existing discovery deadline; and,
- 27 d. A proposed schedule for the completion of all remaining discovery.

28 **IT IS FURTHER ORDERED** that if no dispositive motions have been filed within the

1 time frame specified in this Order, then the parties shall file a written, joint proposed Pretrial
2 Order by **June 6, 2012**. If dispositive motions are filed, then the parties shall file a written, joint
3 proposed Pretrial Order within 30 days of the date the Court enters a ruling on said dispositive
4 motions. Within 30 days of the entry of a Pretrial Order, or as further ordered by the Court, the
5 parties shall submit to a Pretrial Settlement Conference.

6 **IT IS FURTHER ORDERED** that the parties' Stipulation for Extension of Time to
7 Submit Protective Order is **GRANTED** and the proposed date is reflected herein.

8 DATED this 16th day of March, 2012.

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12 C.W. Hoffman, Jr.
13 United States Magistrate Judge
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